

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Ishmael Abdul-Haqq, ) No. CV 08-0074-PHX-EHC (LOA)  
Petitioner, ) **ORDER**  
vs. )  
A.D.W. Cluff, et al., )  
Respondents. )  
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)

On January 11, 2008, Petitioner filed a Petition for Writ of Habeas Corpus (Dkt. 1), as supplemented (Dkt. 10), under 28 U.S.C. § 2254, challenging his state court conviction by a jury of attempted second degree murder, a dangerous offense, in the Superior Court of Maricopa County, State of Arizona. On April 30, 2004, the trial court sentenced Petitioner to a slightly aggravated term of 18 years of imprisonment.

The matter was referred to Magistrate Judge Lawrence O. Anderson who filed a Report and Recommendation on June 30, 2008 recommending that the Petition be denied (Dkt. 13). Petitioner has not filed an Objection or otherwise responded to the Report and Recommendation.

Standard of Review

The district court reviews de novo the portions of the Magistrate Judge's Report and Recommendation to which there is a filed objection. 28 U.S.C. § 636(b)(1)(C)(“a judge of

1 the court shall make a de novo determination of those portions of the report, ..., to which  
2 objection is made."); see also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.  
3 2003). The district court is not required to review any issue that is not the subject of an  
4 objection. *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219 (D. Ariz. 2003), citing *Thomas v.*  
5 *Arn*, 474 U.S. 140, 149 (1985).

6 Discussion

7 In the absence of a filed objection by Petitioner, the Court adopts in full the Report  
8 and Recommendation of the Magistrate Judge and incorporates the same as a part of this  
9 Order.

10 Accordingly,

11 **IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (Dkt.  
12 13) is adopted in full.

13 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus under 28  
14 U.S.C. § 2254 (Dkt. 1), as supplemented (Dkt. 10), is denied.

15 DATED this 4<sup>th</sup> day of August, 2008.

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Earl H. Carroll  
United States District Judge  
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